

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE

RAUL O. MARCO LABOY

DEBTOR

CASE: 17-03174 BKT

CHAPTER 13

AMENDED CHAPTER 13 PLAN

TO THE HONORABLE COURT:

Come(s) Now Debtor(s), represented by the undersigned attorney, and represents as follows:

1- The debtor(s) inform(s) of the amended chapter 13 plan pursuant to Rule 1009, and the amendments are:

- to correct adequate protection amount to Firstbank vehicle claim and correct other provisions language and include tax refund language. *See Attachments.*

WHEREFORE applicant(s) pray(s) from this Honorable Court to take notice of the amended chapter 13 plan dated 7/27/2017 and confirm it.

NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST

Creditors and Parties in interest are notified that any objection to confirmation of the Amended chapter 13 Plan shall be filed not later than fourteen (14) days prior to the date set for the confirmation hearing. Any extension of the original objection period must be requested by motion according to LBR 3015 (2) (e) (1) as amended by General Order 09-02.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification, upon information and belief, of such filing to the trustee in this case and all other CM/ECF participants and have mailed to all creditors and parties in interest as per the master address list upon knowing they are non CM/ECF participants.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, July 27, 2017.

/s/ BEATRIZ HERNÁNDEZ TORO

USC #: 228809

Attorney for Debtor

**BEATRIZ HERNÁNDEZ TORO LAW**

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United States Bankruptcy Court  
District of Puerto Rico, San Juan Division

IN RE:

Case No. 17-03174-BKT

MARCO LABOY, RAUL OSCAR

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>7/27/2017</u>		<input type="checkbox"/> AMENDED PLAN DATED: _____	
<input checked="" type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>		<b>II. DISBURSEMENT SCHEDULE</b>	
$\$ 272.00 \times 1 = \$ 272.00$ $\$ 288.00 \times 59 = \$ 16,992.00$ _____ _____ _____ _____ _____  TOTAL: \$ <u>17,264.00</u>		A. ADEQUATE PROTECTION PAYMENTS OR <u>\$ 150.00</u> B. SECURED CLAIMS: <u>to Firstbank acct. 0919</u> <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <u>FIRSTBANK OF PUE</u> Cr. _____ Cr. _____ # <u>100738671390919</u> # _____ # _____ \$ <u>9,359.25</u> \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder:  5. <input type="checkbox"/> Other:  6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to:  C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.	
Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:  <input type="checkbox"/> Sale of Property identified as follows: _____ _____  <input type="checkbox"/> Other: _____ _____  Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____			
PROPOSED BASE: \$ <u>17,264.00</u>			
<b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,200.00</u>			
Signed: <u>/s/ RAUL OSCAR MARCO LABOY</u> Debtor  _____ Joint Debtor		OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) <b>See Continuation Sheet</b>	

Attorney for Debtor Beatriz Hernandez Toro

Phone: (787) 368-4610

IN RE MARCO LABOY, RAUL OSCAR

Case No. 17-03174-BKT

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

Continuation Sheet - Page 1 of 1

1. EQUAL AMOUNTS PAYMENTS OF ATTORNEY'S FEES TOGETHER WITH POST ADEQUATE PROTECTION PAYMENTS TO FIRST BANK VEHICLE ACCT.
2. DEBTOR LIFTS THE STAY REGARDING ORIENTAL MORTGAGE ACCT. WHICH IS DEBTOR'S EXWIFE'S APARTMENT AND IS LIVED AND PAID BY HER. DEBTOR HAS NO RELATION TO THIS PROPERTY ANYMORE.
3. DEBTOR'S VEHICLE MATURITY DATE IS SEPTEMBER 2018, FROM THEN ON INSURANCE TO BE PROVIDED BY EASTERN AMERICAN INSURANCE.
4. TAX PROVISION OF PLAN

ANY POST-PETITION INCOME FROM TAX RETURNS THAT THE DEBTOR/S BE ENTITLED TO RECEIVE DURING THE TERM OF THE PLAN WILL BE USED TO FUND THE PLAN IN ADDITION TO THE OFFERED BASE.

AFTER THE CONFIRMATION AND WITHOUT FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED IN SUCH INCREASE OF THE BASE AS THE AMOUNT OF THE TAX RETURN RECEIVED BY THE TRUSTEE.

THE AMOUNT THAT THE DEBTOR/S IS/ARE COMMITTING FROM HIS/HER/THEIR TAX RETURNS WOULD BE THE AMOUNT THAT THE COURT DETERMINES THAT WOULD NOT BE NECESSARY TO THE LIFE OR WELL BEING OF HIS/HER/THEIR DEPENDENTS.

THE DEBTOR/S WOULD AT EVERY OCCASION OR OCCURRENCE REQUEST THE COURT TO AUTHORIZE USE OF ANY AMOUNT OF TAX REFUND THAT NOT OFFERED TO THE PLAN AFTER JUSTIFYING ANY NECESSARY EXPENSE THAT WOULD ENTER AND AFFECT THE CONCEPT OF DISPOSABLE INCOME THAT IS THE BASE OF THE TAX REFUNDS.

Chase Card  
Attn: Correspondence Dept  
PO Box 15298  
Wilmington, DE 19850-5298

Chase Card  
PO Box 15298  
Wilmington, DE 19850-5298

Citi  
PO Box 6190  
Sioux Falls, SD 57117-6190

Comenitycap/gordons  
PO Box 182120  
Columbus, OH 43218-2120

Comenitycb/gordon  
Comenity Bank  
PO Box 182125  
Columbus, OH 43218-2125

Costco Go Anywhere Citicard  
Centralized Bk/Citicorp Credit Card Srvs  
PO Box 790040  
Saint Louis, MO 63179-0040

DEPARTAMENTO DE HACIENDA  
235 AVE. ARTERIAL HOSTOS STE 1504  
BANKRUPTCY SECTION  
SAN JUAN, PR 00918-1454

Dept of Ed/582/Nelnet  
Attn: Claims/Bankruptcy  
PO Box 82505  
Lincoln, NE 68501-2505

Dept of Education/Neln  
3015 S Parker Rd  
Aurora, CO 80014-2904

Dsnb Macys  
PO Box 8218  
Mason, OH 45040-8218

First Bank Puerto Rico  
Attn: Bankruptcy  
PO Box 9146  
San Juan, PR 00908-0146

First Bank Puerto Rico  
1130 Ave Munoz Rivera  
San Juan, PR 00927-5009

FIRSTBANK OF PUERTO RICO  
PO Box 192938  
San Juan, PR 00919-3409

Oriental Bank  
254 Ave Munoz Rivera # 15  
San Juan, PR 00918-1900

Syncb/amazon  
PO Box 965015  
Orlando, FL 32896-5015

Syncb/Care Credit  
C/o  
PO Box 965036  
Orlando, FL 32896-5036

Synchrony Bank/ Hh Gregg  
Attn: Bankruptcy  
PO Box 956060  
Orlando, FL 32896-5060

Synchrony Bank/Amazon  
Attn: Bankruptcy  
PO Box 956060  
Orlando, FL 32896-5060

Visa Dept Store National Bank/Macy's  
Attn: Bankruptcy  
PO Box 8053  
Mason, OH 45040-8053